

**REMARKS**

Currently pending in this application are claims 29-54, 56-64 and 66-81. Claims 1-38 were canceled in a prior amendment and claims 55,65 and 82 are canceled in this amendment.

Claim 36 has been amended to refer to solvents and to depend from claim 29.

Claim 38 has been amended to delete reference to castor oil.

Claim 42 has been amended to refer to solvents and to depend from claim 38.

Claim 53 has been amended to refer to solvents and to depend from claim 47.

Claim 56 has been amended to change addition to additive, correcting an obvious typographical error.

Claim 63 has been amended to refer to solvents and to depend from claim 56.

Claim 66 has been amended to change addition to additive, correcting an obvious typographical error. The claim has also been amended to delete reference to castor oil.

Claim 74 has been amended to change addition to additive, correcting an obvious typographical error.

Claim 80 has been amended to refer to solvents.

The examiner has rejected claims 36, 42, 53, 63, 70 and 80 under 35 U.S.C. §112, first paragraph as failing to comply with the written description requirement. Specifically the examiner noted that the specification did not support defining certain compounds recited in the claims as "diluents when the specification defined them as solvents. The claims have been amended to define the compounds as solvents and to change their dependency to the preceding independent claim.

The examiner next rejected claims 32, 49, 50, 56, 59, 60, 65, 66, 74, 77 and 82 under 35 U.S.C. §112 as indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention.

The examiner rejected claims 32, 49, 59 and 76 on the grounds that the examiner did not see the distinction between the plant oil extracts derived from grain and the vegetable and nut plant oils. The examiner stated the opinion that vegetables and nuts are also grains. Applicants respectfully traverse this rejection. As defined by Webster's, a grain is a seed of fruit from a cereal or grass. Merriam-Webster's Collegiate Dictionary, p. 543 (11<sup>th</sup> Ed. 2003) (attached). A vegetable on the other hand is a herbaceous plant and a nut is a hard shell dry fruit or seed. Id at 853, 1386. While all of these are plants, they are different varieties and the differences in the oil extracts and oils would be apparent to one skilled in the art. In addition, plant oil extracts are generally obtained from chlorophyll containing parts of the plant (see, e.g. paragraphs 59 and 60), whereas vegetable oils are generally extracted from the seed, nut or fruit (see, e.g., paragraphs 75 and 76). Thus, applicant respectfully submits that the two groups of materials are distinct the claims are not indefinite.

The examiner rejected claims 50 and 55 as substantial duplicates. Claim 55 has been canceled rendering the rejection moot.

The examiner rejected claims 56, 66 and 74 noting that the term "addition" should read "additive." The claims have been amended to change the term "addition" to "additive".

The examiner rejected claims 60 and 65 as substantial duplicates. Claim 61 has been canceled rendering the rejection moot.

The examiner rejected claims 77 and 82 as substantial duplicates. Claim 82 has been canceled rendering the rejection moot.

The examiner has rejected claims 38, 41-44, 66 and 69-72 under 35 U.S.C. §102(b) as anticipated by U.S. Patent 5,862,369 to Jordan. The examiner noted that Jordan teaches a fuel composition that contains beta-carotene (carotenoid), chlorophyll (hydrophobic plant extract) and ethoxylated castor oil (thermal stabilizer) as well as cetane improvers. The composition may be diluted with various solvents including gasoline, toluene, diesel fuel and

alcohols. Applicants respectfully submit that the claims as amended are not anticipated by Jordan.

As noted above, the Markush group in claims 38 and 66 that define the thermal stabilizer does not include castor oil. None of the other oils recited in the claims are taught or recited in Jordan. Thus Jordan can not anticipate the claims. Claims 41-44 depend from claim 38 and claims 69-72 depend from claim 66. Since Jordan does not anticipate the independent claims it can not anticipate the dependent claims.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

**CONCLUSIONS**

Applicant submits that the pending claims are free of the art and are in condition for allowance.

Applicant believes there is no fee due with this response. However, if fees are due, please charge our Deposit Account No. 06-2375, under Order No. P02917US2 from which the undersigned is authorized to draw.

Dated: August 12, 2004.

Respectfully submitted,

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# Merriam- Webster's Collegiate® Dictionary

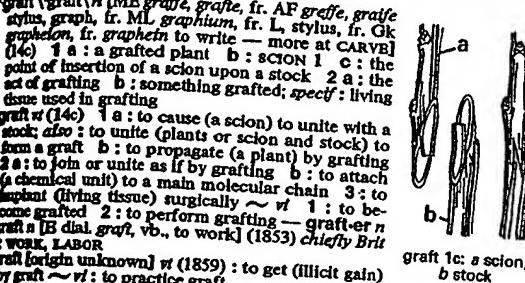
ELEVENTH  
EDITION



Merriam-Webster, Incorporated  
Springfield, Massachusetts, U.S.A.

**graffiti** *n* [It., pl. of *graffito*] (1945) : usu. unauthorized writing or drawing on a public surface  
usage *Graffiti*, which also serves as the plural of *graffito*, is commonly used as a singular mass noun (*graffiti* . . . was depressing people who rode the subways —*New Yorker*) *Graffiti* comes in various styles —S. K. Oberbeck). This use is well established although not yet as well established as the mass-noun use of *data*. Use of *graffiti* as a singular count noun is still quite rare and is not standard.

**graffito** *n* [L. *graftus*, *gra-* + *ficio* to scratch, prob. fr. *grafo* stylus, fr. L. *graphium*] (1851) : an inscription or drawing made on some public surface (as a rock or wall); also : a message or slogan written as or as if as a graffiti — *graffi-tist* *n*



graft 1c: a scion, b stock

**graft** *v* (14c) 1 a : to cause (a scion) to unite with a stock *adv*: to unite (plants or scion and stock) to form a graft *b* : to propagate (a plant) by grafting 2 a : to join or unite as if by grafting *b* : to attach (a chemical unit) to a main molecular chain 3 : to implant (living tissue) surgically — *v* 1 : to become grafted 2 : to perform grafting — *graft-er n*  
**graft** *n* [B (dial. *graft*, vb., to work) (1853) *chiefly Brit* — *WORK, LABOR*]  
**graft foreign unknown** *n* (1859) : to get (illicit gain)

**gain** *n* (1860) : the acquisition of gain (as money) in dishonest or questionable ways; also : illegal or unfair gain

**graft-age** *Vgraft-i-jə* *n* (ca. 1895) : the principles and practice of grafting

**graft-versus-host disease** *n* (1965) : a potentially fatal bodily condition that results when T cells from tissue or organ transplant and a bone marrow transplant react immunologically against the recipient's antigens attacking cells and tissues

**graham cracker** *Vgram-* *n* [*graham flour*] (1882) : a slightly sweet cracker made of whole wheat flour

**graham flour** *n* [Sylvester Graham †1851 Am. dietary reformer] (1834) : whole wheat flour

**grail** *n* [ME *grail*, *graal*, fr. MF, bowl, grail, fr. ML. *gradalis*] 1 *esp.* the cup or platter used according to medieval legend by Christ at the Last Supper and thereafter the object of knightly quests 2 : the object of an extended or difficult quest

**grain** *n* [ME, partly fr. AF *grain* cereal grain, fr. L *granum*; part. of *gratere* *graine*] (14c) 1 a (1) *obs.* a single small hard seed (2) : a seed or fruit of a cereal grass : CARYOPSE 2 b : the seeds or fruits of various food plants including the cereal grasses and in commercial and statutory usage other plants (as the soybean) c : plants producing grain 3 a (1) : a small hard particle or crystal (2) : any of the particles produced in a photographic material by its development; also : the size of such grains in the aggregate (3) : an individual crystal in a metal 4 b : a minute portion or particle c : the least amount possible *<a ~ of dust>* 5 a : kernels or a scarlet dye made from it b : cochineal or a brilliant scarlet dye made from it c : a fast dye d *archaic* : COLOR, COLOUR 6 a : a granulated surface or appearance b : the outer or hair side of a skin or hide 5 : a unit of weight based on the weight of a grain of wheat taken as an average of the weight of grains from the middle of the ear — see WEIGHT table 6 a : the stratification of the wood fibers in a piece of wood b : a texture due to constituent particles or fibers (*the ~ of a rock*) c : the direction of threads in cloth 7 : tactile quality 8 a : natural disposition : TEMPER *(lying goes against my ~)* b : a basic or characteristic quality c : a prevalent tendency or convention (*teaching against the ~*) — *grained* *gränd* — *grain-less* *adv*

**grain** *n* (1530) 1 : INGRAIN 2 : to form into grains : GRANULATE 3 : to paint in imitation of the grain of wood or stone 4 : to feed with grain ~ *n* : to become granular : GRANULATE — *grainer n*

**grain alcohol** *n* (1883) : ETHANOL

**grain elevator** *n* (1852) : a building for elevating, storing, discharging, and sometimes processing grain

**grain of salt** (1647) : a skeptical attitude

**grain of paradise** (15c) : the pungent seeds of a West African plant (*Murraya melegueta*) of the ginger family that are used as a spice

**grain sorghum** *n* (1920) : any of several sorghums cultivated primarily for grain — compare SOROOG

**grainy** *adj* *grain-l-er*; *-est* (15c) 1 : resembling or having the characteristic of grain : not smooth or fine 2 *of a photograph* : appearing to be composed of grain-like particles — *grain-l-ness n*  
**grain** *n* [obs. Pg (now spelled *grido*), grain, fr. L *granum*] (1702) : any of several leguminous plants (as a chickpea) grown esp. for their seeds : their seeds

**gram** *n* [It. *gramma*, fr. LL *gramma*, a small weight, fr. Gk *gramma*, *gramma* letter, writing, a small weight, fr. *graphēn* to write and a comb form] [L. *gramma*, fr. Gk. *gramma*] : drawing : writing and a comb form

**gram** *n* [Sp., fr. L *gramma*, pl. of *gramen* grass] (1828) : any grass of the genus *Bouteloua* of the western U.S.

**gram-mo-gram** *n* [telegraph] (1810) : a metric unit of mass equal to  $\frac{1}{1000}$  kilogram and nearly equal to the mass of one cubic centimeter of water at maximum density — see METRIC SYSTEM table 2 : the weight of a gram under the acceleration of gravity

3 : by shortening & alter.] (ca. 1934) : GRANDMOTHER

**grammar** *n* [Latin *grammatica*, from *gramma*, *gramma*] : drawing : writing and a comb form [L. *gramma*, fr. Gk. *gramma*] : drawing : writing and a comb form

**gram-mo-gram** *n* [Sp., fr. L *gramma*, pl. of *gramen* grass] (1828) : any grass of the genus *Bouteloua* of the western U.S.

**gram-mo-gram** *n* (1927) : the mass of one mole of an element in grams to the atomic weight — called also *gram-atom*

**gram-mo-gram** *n* (ca. 1897) : the quantity of an element, group, or atom that has a mass in grams equal to the equivalent weight

**gram-mo-gram** *n* [ME *grand mercy*, fr. AF *grand merci* (ca. 14c) *archaic* — used to express gratitude or surprise

**gram-i-cl-din** *Vgra-mo-kl-din* *n* [gram-positive + *-i-* + *-cide* + *-in*] (1940) : any of several toxic crystalline polypeptide antibiotics produced by a soil bacterium (*Bacillus brevis*) and used against gram-positive bacteria in local infections

**gra-min-eous** *Vgra-min-ē-uſ* *adj* [L. *gramineus*, fr. *gramin*, *gramen* grass] (ca. 1658) : of or relating to a grass

**gram-i-niv-ous** *Vgra-ni-vō-uſ* *adj* [gra-ni-ve *in* (gra-ni-ve) *birds*] (1739)

**gram-mar** *n* [gra-mor] *n* [ME *gramere*, fr. AF *gramare*, modif. of L. *grammatica*, fr. Gk. *grammatiké*, fr. fem. of *grammatikos* of letters, fr. *grammar*, *gramma* — more at GRAM] (14c) 1 a : the study of the classes of words, their inflections, and their functions and relations in the sentence b : a study of what is to be preferred and what avoided in inflection and syntax 2 a : the characteristic system of inflections and syntax of a language b : a system of rules that defines the grammatical structure of a language 3 a : a grammar textbook b : speech or writing evaluated according to its conformity to grammatical rules 4 : the principles or rules of an art, science, or technique *<a ~ of the theater>*; also : a set of such principles or rules — *gram-mar-ian* *gram-mar-ian* *n*

**gram-mar school** *n* (14c) 1 a : a secondary school emphasizing Latin and Greek in preparation for college b : a British college preparatory school 2 : a school intermediate between primary school and high school 3 : ELEMENTARY SCHOOL

**gram-mat-i-cal** *Vgra-ma-ti-kəl* *adj* (1530) 1 : of or relating to grammar 2 : conforming to the rules of grammar *<a ~ sentence>* — *gram-mat-i-cal-ly* *Vgra-ma-ti-kəl-ē* *adv* — *gram-mat-i-cal-ness* *Vgra-ma-ti-kəl-nəs* *n*

**gram-mat-i-cal-ly** *Vgra-ma-ti-kəl-ē* *adv* — *gram-mat-i-cal-ness* *Vgra-ma-ti-kəl-nəs* *n*

**gram-matical meaning** *n* (1769) : the part of meaning that varies from one inflectional form to another (as from *play* to *played* to *playing*) — compare LEXICAL MEANING

**gramme** *chiefly Brit var of GRAM*

**gram-molecular weight** *n* (ca. 1902) : the mass of one mole of a compound equal in grams to the molecular weight — called also *gram-molecule*

**Gram-my** *Vgra-mi* *service mark* — used for the annual presentation of a statuette for notable achievement in the recording industry

**gram-neg-a-tive** *Vgra-nēg-ə-tiv* *adj* (1907) : not holding the purple dye when stained by Gram's stain — used chiefly of bacteria

**gram-o-phone** *Vgra-mō-fōn* *n* [fr. *Gramophone*, a trademark] (1887)

**gramps** *Vgram-p*s *or* *gram* *Vgramp* *n*, *pl* *gramps* [by shortening & alter.] (ca. 1900) : GRANDFATHER 1a

**gram-pos-i-tive** *Vgra-mō-pō-zitiv*, *pāz-tiv* *adj* (1907) : holding the purple dye when stained by Gram's stain — used chiefly of bacteria

**gram-pur-pur** *Vgra-mō-pur-pur* *n* [alter. of ME *grampey*, *grayay*, fr. AF *graspel*, fr. *gras* fat (fr. L *crassus*) + *pels* fish, fr. L *piscis* — more at CRASS, FISH] (ca. 1529) 1 : a dolphin (*Grampus griseus*) of temperate and tropical seas; also : any of various small cetaceans 2 : the giant whip scorpion (*Mastigoproctus giganteus*) of the southern U.S.

**Gram's stain** *Vgra-mz* *or* *Gram stain* *Vgra-m* *n* [Hans C. J. Gram 1938 Dan. physician] (1903) 1 : a method for the differential staining of bacteria by treatment with a watery solution of iodine and the iodide of potassium after staining with a triphenylmethane dye (as crystal violet) — called also *Gram's method* 2 : the chemicals used in Gram's stain

**gram-var-i-able** *Vgra-mō-ver-ə-bəl* *adj* (1956) : staining irregularly or inconsistently by Gram's stain

**gram** *n* (1863) : GRANDMOTHER 1

**grana** *pl* of GRANUM

**gran-a-dill-a** *Vgra-nō-dil-ə*, *-dil-(y)ə* *n* [Sp., dim. of *granada* pomegranate, fr. LL *granata* — more at GRENADE] (1613) 1 : any of various usu. egg-shaped to football-shaped passion fruits (esp. of *Pasiflora quadrangularis* and *P. edulis*) that have juicy aromatic pulp : a passion-flower that produces granadillas

**grana-ry** *Vgra-nō-rē*, *gra-nō-rē* *n* [L. *granarium*, fr. *gramum* grain] (1570) 1 a : a storehouse for threshed grain b : a region producing grain in abundance 2 : a chief source or storehouse

**grand** *adj* [AF *grand*, *grand*, large, great, grand, fr. L *grandis*] (1548) 1 a : having more importance than others : FOREMOST b : having higher rank than others bearing the same general designation (*the ~ champion*) 2 a : INCLUSIVE, COMPREHENSIVE (*the ~ total of all money paid out*) b : DEFINITIVE, INCONTROVERTIBLE (*the ~ example*) 3 : CHIEF, PRINCIPAL 4 : large and striking in size, scope, extent, or conception (*the ~ design*) 5 a : LAVISH, SUMPTUOUS (*a ~ celebration*) b : marked by a regal form and dignity c : fine or imposing in appearance or impression 4 : LOFTY, SUBLIME (*writing in the ~ style*) 6 a : pretending to social superiority : SUPERCELSIOUS b : intended to impress (*a person of ~ gestures*) 7 : very good : WONDERFUL (*a ~ time*) — *grandly* *Vgran-dlē* *adv* — *grandness* *Vgran-dnēs* *n*

**SYN** GRAND, MAGNIFICENT, IMPOSING, STATELY, MAJESTIC, GRANDIOSO mean large and impressive. GRAND adds to greatness or size the implications of handsomeness and dignity (*a grand staircase*). MAGNIFICENT implies an impressive largeness proportionate to scale without sacrifice of dignity or good taste (*magnificent paintings*). IMPOSING implied great size and dignity but esp. stresses impressiveness (an *imposing edifice*). STATELY may suggest poised dignity, erectness of bearing, handsomeness of proportions, ceremonious deliberation of movement (*the stately procession*). MAJESTIC combines the implications of IMPOSING and STATELY and usu. adds a suggestion of solemn grandeur (*a majestic waterfall*). GRANDIOSE implies a size or scope exceeding ordinary experience (*grandiose hydroelectric projects*) but is most commonly applied derogatorily to inflated pretension or absurd exaggeration (*grandiose schemes*).

**grand** *n* (1840) 1 : GRAND PIANO 2 *pl* *grand* *slang* : a thousand dollars

↪ about 1/1 kitten, 1/1 table 1/1 further 1/1 ash 1/1 ace 1/1 mop, mar 1/1 out 1/1 chin 1/1 bet 1/1 easy 1/1 go 1/1 hit 1/1 ace 1/1 job 1/1 sing 1/1 go 1/1 law 1/1 boy 1/1 thin 1/1 the 1/1 loot 1/1 foot 1/1 yet 1/1 vision, beige 1/1, oo, us, 1/1 see Guide to Pronunciation

chaku *Dj* dial. (Okinawa) (1970) : a weapon that consists of two hardwood sticks joined at their ends by a short length of rawhide, cord, or chain  
 sun-d-e-ture *'nun(t)-sə-tʃər*, *'nūn(t)-, -char*, *-tyūr*, *-tūr\ n* [It *nuntiare*, fr. *nuncio*] (1652) 1 : a papal diplomatic mission headed by a *nuncio* 2 : the office or period of office of a *nuncio*  
*nuncio* *'nūn(t)-sə-n*, *'nūn(t)-\, n*, *p\ -cl̄-os* [It, fr. L *nuntius* messenger, message] (1528) : a papal legate of the highest rank permanently accredited to a civil government

sun-dele *'nūn-kəl\ n* [by alter. (fr. misdivision of *an uncle*)] (ca. 1589)  
 sun-dy *dīl* : UNCLE

sun-cu-pa-tive *'nūn-k'yū-pā-tiv*, *'nūp-*; *'nūn-k'yū-pə-\ adj* [ML *nuncupatio*, fr. LL, so-called, fr. L *nuncupatus*, pp. of *muncupare* to name, prob. ultim. fr. *nomen* name + *capere* to take — more at NAME, HEAVE] (1566) not written: ORAL (a ~ will)

sun-ney *'nūn-ñē\ n*, *p\ -ner-les* (14c) : a convent of nuns  
 sun-mam *'nūn-mām* n [Vietnamese *mūc mām*, lit., salted fish sauce] (1919) : a sauce made of fish (as anchovies) fermented in brine

sun-pe *'nūn-pe\ n*, *p\ Nupe* or *Nupes* (1883) : a member of a people of west central Nigeria; also: the language of the Nupe people

sun-peel *'nūn-peel*, *chāl*, *+shā-wəl*, *+chā-wəl\ adj* [L *nuptialis*, fr. *nuptia*, pl. wedding, fr. *nubere* to marry; perh. akin to OHG *nympha* bride, nymph] (15c) 1 : of or relating to marriage or the marriage ceremony 2 : characteristic of or occurring in the breeding season (~ flight)

sun-peel *n* (ca. 1555) : MARRIAGE, WEDDING — usu. used in pl.  
 sun-peel-ly *'nūn-peel-ə-tē*, *-chē\ n*, *p\ -ties* (1899) : the marriage rate

sun-ri-star *'nūn-ə-stā-nē*, *'nūt-rē\ n* [Nuristan, Afghanistan] (1951) 1 : a member of a group of peoples of the Hindu Kush in northeastern Afghanistan 2 : the family of languages spoken by the Nuristanis that constitutes a distinct branch of Indo-Iranian

sun-ri *'nūn-rē\ n* [ME *nurice*, *norce*, *nurse*, fr. LL *nutricia*, fr. L, fem. of *nutricus* nourishing — more at NUTRITIOUS] (13c) 1 a : a woman who suckles an infant not her own : WET NURSE b : a woman who takes care of a young child : DRY NURSE 2 : one that looks after, fosters, or advises 3 : a person who cares for the sick or infirm; *specif.* : a licensed health-care professional who practices independently or is supervised by a physician, surgeon, or dentist and who is skilled in promoting and maintaining health — compare LICENSED PRACTICAL NURSE, REGISTERED NURSE 4 a : a worker form of a social insect (as an ant or a bee) that cares for the young b : a female animal used to suckle the young of another

sun-ri *n* [ME *nurisen*] : nurses-ing [ME *nurisen*] to suckle, nourish, contr. of *nurisen* *n* (14c) 1 a : to nourish at the breast : SUCKLE b : to take nourishment from the breast of 2 : REAR, EDUCATE 3 a : to promote the development or progress of b : to manage with care or economy (runned the business through hard times) *<runned a 1-0 lead* c : to take charge of and watch over 4 a : to care for and wait on (as a sick person) b : to attempt to cure by care and treatment 5 : to hold in one's memory or consideration (~ a grievance) 6 a : to use, handle, or operate carefully so as to conserve energy or avoid injury or pain (~ a sprained ankle) b : to use sparingly c : to consume slowly or over a long period (~ a cup of coffee) ~ *w\ i* a : to feed an offspring from the breast b : to feed at the breast : SUCK 2 : to act or serve as a nurse — *nurser*

sun-ri-maid *'nūn-mād\ n* (1657) : a girl or woman who is regularly employed to look after children

sun-ri-mid-wife *'nūd-wif\ n* (1952) : a registered nurse with additional training as a midwife who delivers infants and provides prenatal and postpartum care, newborn care, and some routine care (as gynecological exams) of women — *nurse-mid-wife-ry* *'nūd-wif-(ə-)rē*, *'nūd-wif-**wif\ n*

sun-ri-prac-ti-on-er *'nūk-'ti-sh(ə-)nor\ n* (1969) : a registered nurse who is qualified through advanced training to assume some of the duties and responsibilities formerly assumed only by a physician

sun-ri-er *'nūr-ər\ n*, *p\ -er-les* (14c) 1 *obs.* : attentive care : SOMEBODYS 2 a : a child's bedroom b : a place where children are temporarily cared for in their parents' absence c : DAY NURSERY 3 a : something that fosters, develops, or promotes b : a place in which persons are trained or educated 4 : an area where plants are grown for transplanting, for use as stocks for budding and grafting, or for sale 5 : a place where young animals grow or are cared for

sun-ri-man *'nūr-mān\ n* (1672) : one whose occupation is the cultivation of plants (as trees and shrubs) esp. for sale

sun-ri-rhyme *'nūr-ri-mē\ n* (1816) : a short rhyme for children that often tells a story

sun-ri-school *'nūr-sku-ləl\ n* (1835) : a school for children usu. under five years

sun-ri-side *'nūr-sād\ n* (1943) : a worker who assists trained nurses in a hospital by performing unspecialized services (as giving baths)

sun-ri-shark *'nūr-shārk\ n* (alter. of *nurse*) (1851) : any of various sharks (as family *Glaucostomatidae*) esp. : a shark (*Glaucostoma cirratum*) of warm waters

sun-ri-ring *'nūr-ring\ n* (1860) 1 : the profession of a nurse (schools of ~) 2 : the duties of a nurse (proper ~ is difficult work)

sun-ri-sing home *'nūr-ri-sing hōm\ n* (1896) : a privately operated establishment providing maintenance and personal or nursing care for persons (as the aged or the chronically ill) who are unable to care for themselves properly

sun-ri-sing *'nūr-ri-sin\ n* (1557) 1 : one that is solicitously cared for 2 : a nursing child

sun-ri-surance *'nūr-cho-reñ(t)s\ n* (ca. 1938) : affectionate care and attention — *nur-tur-ant* *'nūt-ərənt\ adj*

sun-ri-ture *'nūr-türe\ n* [MB *nurture*, *nurture*, fr. AF *nureture*, fr. LL *nūtūrē*, fr. L *nūtrītūs*, pp. of *nūtrīre* to suckle, nourish — *sun-ri-* act of *nursing*, fr. L *nūtrītūs*, pp. of *nūtrīre* to suckle, nourish — *sun-ri-* act of *nourishing*] (14c) 1 : TRAINING, UPBRINGING 2 : something that nourishes: FOOD 3 : the sum of the environmental factors influencing the behavior and traits expressed by an organism

sun-ri-ture w/ nur-tured; nur-tur-ing *'nūr-chir-in*, *'nūr-cho-\* (15c) 1 : to supply with nourishment 2 : EDUCATE 3 : to further the development of: FOSTER — *nur-tur-er* *'nūr-chir-ər\ n*

sun-ri-wit *'nūr-wit\ n* [MB *nute*, *note*, fr. OHG *nūtu*; akin to OHG *nūz* nut and perh. to L *nux* nut] (bef. 12c) 1 a (1) : a hard-shelled dry fruit or seed with a separable rind or shell and interior kernel (2) : the kernel of a nut b : a dry indehiscent one-seeded fruit with a woody pericarp 2 a : a hard problem or undertaking b : CORE, HEART 3 : a perforated

block usu. of metal that has an internal screw thread and is used on a bolt or screw for tightening or holding something 4 : the ridge in a stringed instrument (as a violin) over which the strings pass on the upper end of the fingerboard 5 : a small lump (as of butter) 6 a : a foolish, eccentric, or crazy person b : ENTHUSIAST *<movie ~* 7 *pl* : NONSENSE — often used interjectionally 8 *slang* : a person's head 9 *usu. vulgar* : TESTIS 10 : the amount of money that must be earned in order to break even 11 : BN 1 — nut-like *'nūlk\ adj*

nut *n* [nut-ted; nut-ting] (1604) : to gather or seek nuts

nut-tate *'nūt-tāt\ v*, *'nūt-tāt\ v\ i* [nut-tat-ed; nut-tat-ing] (1880) : to exhibit or undergo nutation

nut-tation *'nūt-tā-shən*, *'nūt-tāt\ n* [L *nutatio*, *nutatio*, fr. *nutare* to nod, rock — more at NUMEN] (1612) 1 *archaic* : the act of nodding the head 2 : oscillatory movement of the axis of a rotating body (as the earth) : Wobble 3 : a spontaneous usu. spiral movement of a growing plant part — *nut-tational* *'nūt-tā-shənl* *adj*

nut-brown *'nūt-brān* *adj* (14c) : of the color of a brown nut

nut-crack-er *'nūk-kār\ n* (ca. 1548) : an implement for cracking nuts

nut-gall *'nūt-gāl\ n* (15c) : a gall that resembles a nut; esp. : such a gall produced on oaks

nut grass *n* (1775) : a perennial sedge (*Cyperus rotundus*) of wide distribution that has slender rootstocks bearing small edible tubers resembling nuts; also : a related sedge (*C. esculentus*)

nut-hatch *'nūt-hāch\ n* [MB *notehache*, fr. *nōt* note + *hāch* : akin to OB *tōhacian* to hack — more at HACK] (14c) : any of various small tree-climbing chiefly insectivorous birds (family *Sittidae* and esp. genus *Sitta*) that have a compact body, a narrow bill, a short tail, and sometimes a black cap

nut-house *'nūt-haus\ n* (1900) *slang* : a mental hospital

nut-let *'nūt-let\ n* (1856) 1 a : a small nut b : a small fruit similar to a nut 2 : the stone of a drupelet

nut-meg *'nūt-mēg*, *'nūmēg\ n* [ME *notendige*, *notemuge*, ultim. fr. Old Occitan *nac* *musada*, fr. *nac* nut (fr. L *nuc*, *nuc*) + *musada*, fem. of *muscal* musky — more at MUSCAT] (15c) 1 : an aromatic seed produced by an evergreen tree (*Myrtilloides fragrans*) of the family Myristicaceae, the nutmeg family; native to the Moluccas; also : the ground seed used as a spice — compare MACE 2, 2 : a tree yielding nutmeg

nut-pick *'nūt-pik\ n* (1862) : a small sharp-pointed implement for extracting the kernels from nuts

nu-tra-cti-cal also *nu-tri-ceu-ti-cal* *'nūt-trā-'kti-kəl*, *'nūt-trā-'kti-kəl* *n* [nutritive + "pharmaceutical"] (1990) : a foodstuff (as a fortified food or dietary supplement) that provides health benefits in addition to its basic nutritional value

nu-tri-tria *'nūt-trē-ə*, *'nūd-ə\ n* [AmerSp, fr. Sp, otter, modif. of L *lutra*; prob. akin to OB *otter* otter] (1820) 1 : the durable usu. light brown fur of a nutria 2 : a large So. American semiaquatic rodent (*Myocastor coypus*) with webbed hind feet and a round nearly hairless tail that has been introduced into parts of Europe, Asia, and No. America

nu-tri-ent *'nūt-trē-ənt*, *'nūd-ənt\ adj* [L *nūtrīens*, pp. of *nūtrīre* to nourish — more at NOURISHED] (1650) : furnishing nourishment

nu-tri-ent *n* (ca. 1828) : a nutritive substance or ingredient

nu-tri-ment *'nūt-trō-mēnt*, *'nūd-ə-mēnt\ n* [MB, fr. L *nūtrīmentum*, fr. *nūtrīre*] (15c) : something that nourishes or promotes growth, provides energy, repairs body tissues, and maintains life

nu-tri-tion *'nūt-trē-ən*, *'nūd-ə-nē\ n* [MB *nūtrīcōn*, fr. L *nūtrītūs*, fr. L, *nūtrīre*] (15c) 1 : the act or process of nourishing or being nourished; *specif.* : the sum of the processes by which an animal or plant takes in and utilizes food substances 2 : NOURISHMENT 1 : nu-tri-tion-al *'nūt-trē-shənl*, *'nūt-trē-shə-nəl\ adj* — nu-tri-tion-al-ly *adv*

nu-tri-tion-ist *'nūt-trē-shə-nist\ n* (1926) : a specialist in the study of nutrition

nu-tri-tious *'nūt-trē-əs*, *'nūd-əs\ adj* [L *nūtrīcōs*, fr. *nūtrīre*, *nūtrīcō*] 1 : ENTHUSIASTIC, KEEN (~ for animals and children — Rick Reilly) 2 : INSANE, CRAZY *<said that it was a novel and all the people who said otherwise were ~ — Flannery O'Connor>*

nu-tri-tive *'nūt-trē-tiv*, *'nūd-ə-tiv\ adj* (14c) 1 : of or relating to nutrition 2 : NOURISHING — nu-tri-tive *adv*

nu-tri-tive ratio *n* (1897) : the ratio of digestible protein to other nutrients in a foodstuff or ration

nu-tri-tion-ist *'nūt-trē-ə-nist\ adj* (1785) 1 : ENTHUSIASTIC, KEEN (~ for animals and children — Rick Reilly) 2 : INSANE, CRAZY *<said that it was a novel and all the people who said otherwise were ~ — Flannery O'Connor>*

nu-tri-tious-ness *'nūt-trē-əs-nəs\ n*

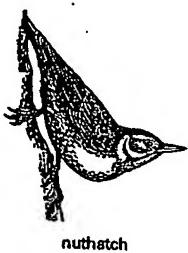
nu-tri-tive *'nūt-trē-tiv*, *'nūd-ə-tiv\ adj* (14c) 1 : having or producing nuts

nu-tri-tive *'nūt-trē-tiv*, *'nūd-ə-tiv\ adj* (14c) 2 : having a flavor like that of nuts 3 : ECCENTRIC, SILLY; also : mentally unbalanced — nu-tri-tify *'nūt-trē-fy* *'nūt-trē-fy\ adj* — nu-tri-tiness *n*

Nuu-Chah-Nuith also Nuu Chah Nuith *'nūu-'chā-nūth\ n*, *p\ Nuu-Chah-Nuith* also Nuu Chah Nuith (*Noothka nūchā-nūth*, lit., all along the mountain) (1979) : NOOTKA

nux vom-i-ca *'nūks 'vōm-ikə\ n*, *p\ nux vomica* [NL, lit., emetic nut] (14c) 1 : the poisonous disk-shaped seed of a tree (*Strychnos nux-vomica* of the family Loganiaceae) of southern Asia that contains several alkaloids and esp. strichnine and brucine; also : the tree yielding nux vomica 2 : a drug containing nux vomica

1 \ about 1" kitten, F table 10" further 1 \ ash 1A sec 1\ mop, mar 1\ out 1\ chin 1\ bet 1\ easy 1\ go 1\ hit 1\ ice 1\ job 1\ sing 1\ go 1\ low 1\ low 1\ boy 1\ th\ skin 1\ the 1\ foot 1\ yet 1\ zhi vision, beige 1\ c, 1\ w, 1\ see Guide to Pronunciation



**vedalla** */vē-däl-yā/ n* [NL, genus name] (1889) : an Australian ladybug (*Rodolia cardinalis*) introduced to many countries to control scale insects — called also *vedalla beetle*

**Vedānta** */vē-dān-tä, -vā-/ n* [Skt *Vedānta*, lit., end of the Veda, fr. *Veda* + *anta*-end; skin to OB *ende* end] (1788) : an orthodox system of Hindu philosophy developing esp. in a qualified monism the speculations of the Upanskashas on ultimate reality and the liberation of the soul — *Vedāntism* */vē-dān-tizm/ n* — *Vedāntist* */vē-dān-tist/ n*

**Vedāntic** */vē-dān-tik/ adj* (1882) 1 : of or relating to the Vedanta philosophy 2 : **VEDIC**

**Vedā** or **Vedādah** */vē-dā/ n* [Sinhalese *vedda* hunter] (1681) : a member of an aboriginal people of Sri Lanka

**Vedādī** */vē-dīdī/ n* (1928) : a member of a race of southern Asia traditionally classified by such physical features as wavy to curly hair, chocolate-brown skin color, and slender body build — *Vedādīdī adj*

*vedette* or *vedette* */vē-dēt/ n* [F, fr. It *vedetta*; alter. of *veletta*, prob. fr. Sp *vela* watch, fr. *velar* to keep watch, fr. L *vigilare* to wake, watch, fr. *vigil* awake — more at *YOUTH*] (ca. 1611) : a mounted sentinel stationed in advance of pickets

**Vedā** */vē-dā/ adj* (1848) : of or relating to the Vedas, the language in which they are written, or Hindu history and culture between 1500 B.C. and 500 B.C.

**vee** */vē/ n* (ca. 1883) 1 : something shaped like the letter V 2 : the letter v

**vee-jay** */vē-jā/ n* [radio jockey] (ca. 1981) : an announcer of a program (as on television) that features music videos

**veena** */vē-nā/ n* [VINA]

**veep** */vēp/ n* [fr. v. p. (abbr. for vice president)] (1949) : VICE PRESIDENT

**veer** */vēr/ n* [ME *veren*, of LG or D origin; akin to MD *veren* to slacken, MLG *veren*] (15c) : to let out (as a rope)

**veer** */vēr/ v* [ME *veren*, fr. MF *virer*, fr. OF, to throw with a twisting motion, fr. VL *vibrare*, alter. of *L vibrare* to wave, propel suddenly — more at *VIBRATE*] *n* (15c) 1 : to change direction or course (the economy ~ed sharply downward) 2 : *of the wind* : to shift in a clockwise direction — compare BACK 3 : to wear ship ~ w : to direct to a different course; *specif.* : WEAR 7 *syn* see SWERVE — *veering* */vēr-ing/ adj*

**veer-y** */vēr-ē/ n* *p* *veerries* [prob. imit.] (1838) : an American thrush (*Catharus fuscescens*) common in the eastern U.S.

**veg** */vēg/ n* *p* *veg* (1918) *chiefly Brit* : VEGETABLE

**vega** */vē-gā/ n* *p* *n* [NL, fr. Ar (*d-Nast*) *al-Waqf*, lit., the falling (vulture)] (ca. 1638) : the brightest star in the constellation Lyra

**vegan** */vē-gān/ also /vē-äg-ä-n/ n* [coinf. fr. *vegetarian*] (1940) : a strict vegetarian who consumes no animal food or dairy products; also : one who abstains from using animal products (as leather) — *vegan adj* — *veganism* */vē-gā-nizm/ n* *vē-gā-n/ n*

**vege-ta-ble** */vēj-tä-bəl/ adj* [ML, fr. ML *vegetabilis* vegetative, fr. *vegetare* to grow, fr. L. to animate, fr. *vegetus* lively, fr. *vegetus* to enlivens — more at *WAKER*] (15c) 1 a : of, relating to, constituting, or growing like plants b : consisting of plants : VEGETATIONAL 2 : made from, obtained from, or containing plants or plant products (~ soup) (~ fat) 3 : resembling or suggesting a plant (as in inertness or passivity)

**vegetable** *n* (15c) 1 : PLANT 1b 2 : a usu. herbaceous plant (as the cabbage, bean, or potato) grown for an edible part that is usu. eaten as part of a meal; also : such an edible part 3 : a person whose mental and physical functioning is severely impaired and esp. one who requires supportive measures (as mechanical ventilation) to survive

**vegetable ivory** *n* (1842) 1 : the hard white opaque endosperm of the ivory nut that takes a high polish and is used as a substitute for ivory 2 : IVORY NUT

**vegetable marrow** *n* (ca. 1816) *chiefly Brit* : any of various smooth-skinned elongated summer squashes with creamy-white to deep green skins

**vegetable oil** *n* (1765) : an oil of plant origin; exp : a fatty oil from seeds or fruits

**vegetable oyster** *n* (ca. 1818) : SALATIFY

**vegetable pear** *n* (1887) : CHAYOTE

**vegetable wax** *n* (1815) : a wax of plant origin secreted commonly in thin flakes by the walls of epidermal cells

**vege-ta-ble** */vēj-tä-bəl/ adj* or *adj* (1651) : in the manner of or like a vegetable

**vege-ta-tive** */vēj-tä-tiv/ adj* [ML *vegetare* to grow] (15c) 1 : VEGITABLE 2 : VEGITATIVE 3 : of or relating to the vegetal pole of an egg or to that part of an egg from which the endoderm normally develops (~ blastomeres)

**vegetal pole** *n* (1896) : the point on the surface of an egg that is diametrically opposite to the animal pole and usus. marks the center of the protoplasm containing more yolk — see BLASTULA illustration

**vege-tard-an** */vēj-tär-tä-n/ n* [vegetable + -ian] (1839) 1 : one

2 : *one who believes in or practices vegetarianism* 2 : HERBIVORE

**vegetarian** *adj* (1849) 1 : of or relating to vegetarians 2 : consisting wholly of vegetables, fruits, grains, nuts, and sometimes eggs or dairy products (~ a diet)

**vege-tarian-ism** */vēj-tär-ē-nizm/ n* (ca. 1851) : the theory or practice of living on a vegetarian diet

**vege-tate** */vēj-tät/ v* *past-ted*; *past-ing* [ML *vegetatus*, pp. of *vegetare* to grow] *n* (1605) 1 a : to grow in the manner of a plant; also : to grow exuberantly or with proliferation of fleshy or warty outgrowths b : to produce vegetation 2 : to lead a passive existence without exertion of body or mind ~ w : to establish vegetation in or on

**vege-tation** */vēj-tä-shən/ n* (15c) 1 : the act or process of vegetating 2 : inert existence 3 : plant life or total plant cover (as of an area) 4 : an abnormal growth upon a body part (fibrous ~ on the mitral valve) — *vege-tation-al* */vēj-tä-shən-äl/ adj*

**vege-ta-tive** */vēj-tä-tiv/ adj* (14c) 1 a (I) : growing or fibrous the power of growing b : of, relating to, or engaged in nutritive and growth functions as contrasted with reproductive functions (a ~ nucleus) b : promoting plant growth (the ~ properties of soil) c : of, relating to, or involving propagation by nonsexual processes or methods 2 : relating to, composed of, or suggesting vegetation 3 : of or

relating to the division of nature comprising the plant kingdom 4 : AUTONOMIC 1 b : characterized by, resulting from, or being a state of severe mental impairment in which only involuntary bodily functions are sustained 5 : VEGETABLE 3 — *vege-ta-tive-ly* *adv* — *vege-ta-tive-ness* *n*

**vege-ta-ble** */vēj-tē-bl/ adj* [L *vegetus* — more at *VEGETABLE*] (1639) *archaic* : LIVELY, HEALTHY

**veg-e** */vēj-ē/ also *veg-e* */vēj-ē/ n* [by shortening & alter.] (1955) 1 : **VEGETABLE** 2 *slang* : VEGETARIAN*

**veggie burger** *n* (1972) : a patty chiefly of vegetable-derived protein used as a meat substitute; also : a sandwich containing such a patty

**veg out** */vēj-out/ v* *w* *veggied out*; *veg-ging out* [short for *vegetate*] (1980) : to spend time idly or passively

**veg-e-mence** */vēj-ə-məns/ n* (15c) : the quality or state of being vegetable: INERTIARY

**veg-e-men-tal** */vēj-ə-mēn-təl/ adj* [ME, fr. L *vehementem* *vehementem*, *vehementem*] (15c) : marked by forceful energy : POWERFUL (a ~ wind); as : a : intensely emotional : IMPASSIONED, FERVID (~ participation) b (I) : deeply felt (a ~ suspicion) (2) : forcibly expressed (~ denunciations) c : bitterly antagonistic (~ debate) — *veg-e-men-tal-ly* *adv*

**vehi-cle** */vēj-ə-kəl/ also /vēj-ə-kəl/ n* [P *vehiculum*, fr. L *vehiculum* carriage, conveyance, fr. *vehere* to carry — more at *WAY*] (1612) 1 a : an inert medium (as a syrup) in which a medicinally active agent is administered b : any of various media acting usu. as solvents, carriers, or binders for active ingredients or pigments 2 : an agent of transmission : CARRIER 3 : a medium through which something is expressed, achieved, or displayed (an investment ~); exp : a work created esp. to display the talents of a particular performer 4 : a means of carrying or transporting something (planes, trains, and other ~s); as : a : MOTOR VEHICLE b : a piece of mechanized equipment

**vehi-cu-lar** */vēj-ü-lü-kō-lär/ adj* (1616) 1 a : of, relating to, or designed for vehicles and esp. motor vehicles b : transported by vehicle c : caused by or resulting from the operation of a vehicle (~ homicide) 2 : serving as a vehicle

**V-8** */vē-ët/ n* (1930) : an internal combustion engine having two banks of four cylinders each with the banks at an angle to each other; also : an automobile having such an engine

**veil** */vēl/ n* [MB, fr. AF *veil*, veille, fr. L *velum* sail, awning, curtain] (13c) 1 a : a length of cloth worn by women as a covering for the head and shoulders and often esp. in Eastern countries for the face; *specif.* : the outer covering of a nun's headdress b : a length of veiling or netting worn over the head or face or attached for protection or ornament to a hat or headdress (a bridal ~) c : any of various liturgical cloths; exp : a cloth used to cover the chalice 2 : the life of a nun — often used in the phrase *take the veil* 3 : a concealing curtain or cover of cloth 4 : something that resembles a veil (~ of stars); exp : something that hides or obscures like a veil (~ of the ~ of secrecy) 5 : a covering body part or membrane: as a : VELUM b : CAUL

**veil** *w* (14c) : to cover, provide, obscure, or conceal with or as if with a veil ~ w : to put on or wear a veil

**veiled** */vēl'd/ adj* (14c) 1 a : having or wearing a veil or a concealing cover (a ~ hat) b : characterized by a softening tonal distortion 2 : obscured as if by a veil : DISGUISED (~ threats)

**veil-ing** */vēl-ing/ n* (13c) 1 : any of various light sheer fabrics 2 : VEIL

**vein** */vēn/ n* [MB *vene*, fr. AF, fr. L *vena*] (14c) 1 a : a narrow water channel in rock or earth or in ice b (I) : LODGE 2 (2) : a bed of useful mineral matter c : LODGE 3 2 : BLOOD-VESSEL; exp : any of the tubular branching vessels that carry blood from the capillaries toward the heart 3 a : any of the vascular bundles forming the framework of a leaf b : any of the thickened cuticular ribs that serve to stiffen the wings of an insect 4 : something suggesting veins (as in reticulation); *specif.* : a wavy variegation (as in marble) b : a distinctive mode of expression : STYLE (stories in a romantic ~) b : a distinctive element or quality : STRAIN (introduced a welcome ~ of humor) c : a line of thought or action (renewed discussion along the same ~) 6 c : a special aptitude (inherited an artistic ~) b : a usu. transitory and easily attained mood c : top form (thou troublest me; I am not in the ~ Shaks.)

**vein** *w* (1520) : to pattern with or as if with veins

**veined** */vēnd/ adj* (ca. 1529) : patterned with or as if with veins : having venation: STRICKEN (a ~ leaf) (~ marble) (~ cheese)

**vein-ing** */vēn-ing/ n* (1826) : a pattern of veins : VENATION

**vein-let** */vēn-let/ n* (1831) : a small vein

**veiny** */vē-nē/ adj* (1611) : full of veins : noticeably veined (~ hands)

**vei-ah** */vē-ä-nəm/ n*, pl *vei-ah-s* */vē-ä-mə-nə/* (NL, fr. L, covering, fr. *velare* to cover, fr. *velum* curtain) (1882) : the thick corky epidermis of aerial roots of an epiphytic orchid that absorbs water from the atmosphere

**vei-lor** */vē-lör/ adj* [NL *velaris*, fr. *velum*] (1876) 1 : formed with the back of the tongue touching or near the soft palate (the ~ of Vidal cool) 2 : of, forming, or relating to a velum and esp. the soft palate — *velar* *n*

**vei-lid-um** */vē-lid-əm/ n*, pl *vei-lid-əm* */vē-lid-əm/* (L, fr. *velum* curtain) (1834) : an awning over an ancient Roman theater or amphitheater

**vei-lid-za-tion** */vē-lid-ə-zā-shən/ n* (1915) 1 : the quality or state of being velarized 2 : an act or instance of velarizing

**vei-lid-ize** */vē-lid-īz/ v* *w* *vei-lid-ed*; *be-ing* (1915) : to modify (as the V of *Vidal pool*) by a simultaneous velar articulation

**Velcro** */vēl-kro/* trademark — used for a closure consisting of a piece of fabric of small hooks that sticks to a corresponding fabric of small loops

**vei-eld** */vēl/* *vei-élt/ vei-élt/ n* [Afrik *vei-eld*, fr. D, field; akin to OB *feld* field] (1833) : a grassland esp. of southern Africa usu. with scattered shrubs or trees

**vei-leigher** */vē-lē-her/* *vei-ē/ n* [NL *velletas*, fr. L *velles* to wish, will — more at *WILL*] (1618) 1 : the lowest degree of volition 2 : a slight wish or tendency : INCLINATION



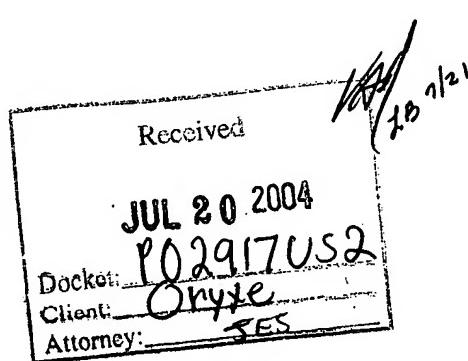
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,601	02/26/2002	Frederick L. Jordan	ORYXE.024A	1629
26271	7590	07/16/2004	EXAMINER	
FULBRIGHT & JAWORSKI, LLP				TOOMER, CEPHIA D
1301 MCKINNEY				
SUITE 5100				
HOUSTON, TX 77010-3095				
				ART UNIT
				PAPER NUMBER
				1714

DATE MAILED: 07/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



**Advisory Action**

Application No.

10/084,601

Applicant(s)

JORDAN, FREDERICK L.

Examiner

Cephia D. Toomer

Art Unit

1714

*-The MAILING DATE of this communication appears on the cover sheet with the correspondence address -*

THE REPLY FILED 28 June 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY [check either a) or b)]**

- a)  The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.  
b)  The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  
ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1.  A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.  
2.  The proposed amendment(s) will not be entered because:  
(a)  they raise new issues that would require further consideration and/or search (see NOTE below);  
(b)  they raise the issue of new matter (see Note below);  
(c)  they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d)  they present additional claims without canceling a corresponding number of finally rejected claims.

**NOTE: See Continuation Sheet.**

3.  Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
4.  Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
5.  The a) affidavit, b) exhibit, or c) request for reconsideration has been considered but does NOT place the application in condition for allowance because: \_\_\_\_\_.  
6.  The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.  
7.  For purposes of Appeal, the proposed amendment(s) a) will not be entered or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

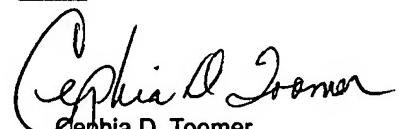
The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: 29-31,33-35,37,47,48,51,52 and 54.

Claim(s) objected to: 32,36,38,41-44,49,50,53,55,56,59,60,63,65,66,69-72,74,76,77,80 and 82.

Claim(s) rejected: 39,40,45,46,57,58,61,62,64,67,68,73,75,78,79 and 81.

Claim(s) withdrawn from consideration: \_\_\_\_\_.  
8.  The drawing correction filed on \_\_\_\_\_ is a) approved or b) disapproved by the Examiner.  
9.  Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s). \_\_\_\_\_.  
10.  Other: \_\_\_\_\_



Cephia D. Toomer  
Primary Examiner  
Art Unit: 1714

Continuation of 2. NOTE: the amendment is non-compliant because it fails to meet the requirements of 37 CFR 1.121, as amended on July 30, 2003. Claims 36, 38, 42, 53, 66 and 74 are identified as "amended". However, there appears to be no addition or deletion of subject matter. Also, the proper claim identifier should be "currently amended".

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